



THE COMMISSIONER IS AUTHORIZED  
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FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#33

In re application of

**RECEIVED**

Mitsuaki OSHIMA et al.

: Docket No. 2000\_1328 JUL 14 2004

Serial No. 09/672,946

: Group Art Unit 2634 **OFFICE OF PETITIONS**

Filed September 29, 2000

: Examiner A. Le

COMMUNICATION SYSTEM

: Confirmation No. 7022

**PETITION UNDER 37 CFR 1.183 TO ACCEPT SUBSTITUTE SPECIFICATION IN A  
REISSUE APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37. CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2634**

Sir:

This is a petition under 37 CFR 1.183 for waiver of 37 CFR 1.125(d) (which indicates that substitute specifications are not permitted in a reissue application). The petition fee is enclosed.

The present application is one of many pending reissue applications of U.S. Patent No. 5,600,672. Initially, in some of these applications, amendments to the specification were presented in the form of replacement paragraphs with bracketing and underlining to indicate the changes vis-a-vis the original patent. In several of the applications, the Examiner required a substitute specification because of the length of the specification and the number of amendments, and indicated by telephone that substitute specifications would be required in all of the related reissue applications.

For example, in the parent reissue application 09/244,037 the replacement paragraph amendments were filed on April 30, 2003. Then, in the Office Action mailed July 29, 2003, the Examiner required a substitute specification. Also, in related reissue application 09/662,695, which like the present application is a reissue application of U.S. Patent 5,600,672 and a divisional application of reissue application 09/244,037, the replacement paragraph amendments filed on May

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7, 2003 were denied entry and a substitute specification was required in the Office Action mailed May 27, 2003.

Moreover, in a telephone conversation with the Examiner in connection with reissue application 09/686,464, which is also a divisional application of reissue application 09/244,037, the Examiner required a substitute specification and indicated that substitute specifications would be required in all of the related reissue applications of U.S. patent 5,600,672 if the same specification amendments were to be entered.

Therefore, a substitute specification was prepared and filed in the present application on August 27, 2003, as well as in all of the related reissue applications of U.S. Patent 5,600,672.

In view of the above, it is requested that the PTO accept entry of the substitute specification filed August 27, 2003 in connection with the present application.

Respectfully submitted,

Mitsuaki OSHIMA et al.

By: 

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July 9, 2004



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PATENT OFFICE FEE TRANSMITTAL FORM

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Alexandria, VA 22313-1450

**RESPONSE UNDER 37. CFR 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 2634**

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Petition Under 37 CFR 1.183 to Accept Substitute Specification in a  
Reissue Application ..... \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Mitsuaki OSHIMA et al.

By

Jeffrey R. Fripek  
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July 9, 2004

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